

### REMARKS

Claims 1-24 are pending in the present application. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

The Examiner has rejected claims 1-5, 7, 11, 14, 16-20, and 23-24 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,331,817 to Goldberg et al. ("Goldberg") in view of U.S. Patent No. 5,218,344 to Ricketts.

Claim 1 of the present application recites a system for tracking portable devices including "a receiver receiving replies... from the portable devices," and a "processor retrieving from each reply, reply identifier data uniquely identifying a particular one of the portable devices which generated the reply and comparing the reply identifier data to the stored identifier data." Claim 1 further recites "*when the reply identifier data does not match the stored identifier data, the portable device control system provides an indication that the portable device is unregistered.*" Thus, when the reply identifier data (e.g., a unique identification number ("UIN") associated with the device) does not match the stored identifier data (e.g., one UIN on a database of registered UINs), a control computer indicates that the device is not registered. (*Specification*, ¶ [0013]).

Goldberg discloses a system which utilizes a transceiver to track personal property tagged with trackable electronic devices. (*Goldberg*, Abstract). In *Goldberg*, an organizer queries a set of tagged objects upon a pre-programmed event (e.g., leaving a home, entering a car). (*Id.* at col. 3, line 37 - col. 4, line 13). The query determines a presence of the object within a predefined range of the organizer. (*Id.* at col. 4, lines 22 - 24). If a response to the query is not received, the organizer notifies a user that the non-responding object is missing. (*Id.* at col. 4, lines 24 - 30).

As the Examiner has correctly recognized, *Goldberg* fails to disclose or suggest

“when the reply identifier data matches the stored identifier data the status information corresponding to the portable device is updated on the memory and, when the reply identifier data does not match the stored identifier data, the portable device control system provides an indication that the portable device is unregistered,” as recited in claim 1. (*See 7/13/05 Office Action*, page 4). However, the Examiner asserts that this defect is cured by Ricketts. (*See id.*).

Ricketts discloses a system for electronically monitoring location and identity of individuals from a remote station. (*Ricketts*, col. 1, lines 6-10). In operation, a central computer receives a signal from a paging transmitter within a wrist unit worn by an individual. (*Id.* at col. 9, lines 7 - 26). The computer analyzes the signal to determine a location of the individual and compares the location with an acceptable location stored in a memory. (*Id.* at col. 9, lines 27-29). If the location corresponds with the acceptable location, the location is recorded and the computer continues processing normally. (*Id.* at col. 9, lines 32-37). If the location does not correspond to the acceptable location, the computer provides a visual and/or audible alarm and makes a permanent record of the event. (*Id.* at col. 9, lines 37-41).

It is respectfully submitted that Ricketts does not cure the above-described deficiencies of Goldberg. Specifically, Ricketts does not disclose or suggest “when the reply identifier data does not match the stored identifier data, the portable device control system provides an indication *that the portable device is unregistered*,” as recited in claim 1. Ricketts merely describes a method to determine whether an *individual* is in an *unauthorized location*. Assessing a location of an individual, however, is by no means equivalent of determining whether a portable device is registered on a system. The Examiner contends that an individual in Ricketts is determined to be in an unauthorized room if he is unregistered in the database for that room, and the individual is authorized to be in a room if he is accordingly registered in the database. (*See 7/13/05 Office Action*, page 2). However, the Examiner’s reasoning is flawed in that Ricketts only discloses one memory within the system, wherein every individual wearing a wrist unit 13 is registered. One may infer that the memory contains authorization information, which varies for each room, for each individual. However, the individual, and the corresponding

wrist unit 13 worn by the individual, are registered with the system regardless of where they are permitted to travel. Further, Ricketts nowhere discloses wherein the computer 11 via the transceiver 12 may transmit or receive signals to/from units which are not part of the system. That is, the computer 11 is not capable of communicating with unregistered devices, including any devices other than the wrist units 13. Therefore, the disclosed system of Ricketts is incapable of determining whether a portable device is unregistered.

In further contrast to the recitations of claim 1, Ricketts assesses the individual's location by comparing location data received from each individual with data stored in memory indicating which locations are acceptable for the individual. (*See Ricketts*, Col. 9, ll. 33-42). Comparing location data, however, may not be considered equivalent to comparing "reply identifier data" which uniquely identifies a particular portable device, as recited in claim 1.

Applicants respectfully submit that neither Goldberg nor Ricketts, either alone or in combination, discloses or suggests "when the reply identifier data does not match the stored identifier data, the portable device control system provides an indication that the portable device is unregistered" as recited in claim 1. Because claims 2-4, 5, 7, and 11 depend from, and, therefore include all of the limitations of claim 1, it is respectfully submitted that these claims are also allowable.

Claim 14 recites substantially similar limitations to claim 1 including, "when the reply identifier data does not match the stored identifier data, the portable device control system provides an indication that the portable device is unregistered." Thus, it is respectfully submitted that claim 14 is allowable for the same reasons as stated above with reference to claim 1. Because claims 16-20 and 23-24 depend from, and, therefore include all of the limitations of claim 14, it is respectfully submitted that these claims are also allowable.

Claims 8-10 and 21-22 have been rejected under 35 U.S.C. §103(a) as unpatentable over Goldberg in view of Ricketts and in further view of U.S. Patent No. 5,801,618

to Jenkins ("Jenkins"). (See 7/13/05 Office Action, pages 9 and 13).

Applicants respectfully submit that Jenkins does not cure the above-described deficiencies of Goldberg and Ricketts. Because claims 8-10 and 21-22 depend from, and, therefore include all of the limitations of claims 1 and 14, respectively, it is respectfully submitted that these claims are also allowable for the reasons stated above.

Claims 6 and 13 have been rejected under 35 U.S.C. §103(a) as unpatentable over Goldberg in view of Ricketts and in further view of U.S. Patent No. 5,664,113 to Worger et al. ("Worger"). (See 7/13/05 Office Action, page 11).

Applicants respectfully submit that Worger does not cure the above-described deficiencies of Goldberg and Ricketts. Because claims 6 and 13 depend from, and, therefore include all of the limitations of claim 1, it is respectfully submitted that these claims are also allowable for the reasons stated above.

Claims 12 and 15 have been rejected under 35 U.S.C. §103(a) as unpatentable over Goldberg in view of Ricketts and further in view of U.S. Patent No. 5,686,902 to Reis et al. ("Reis"). (See 7/13/05 Office Action, pages 14 - 15).

Applicants respectfully submit that Reis does not cure the above-described deficiencies of Goldberg and Ricketts. Because claims 12 and 15 depend from, and, therefore include all of the limitations of claims 1 and 14, respectively, it is respectfully submitted that these claims are also allowable for the reasons stated above.

**CONCLUSION**

In light of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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